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CERTIFICATE OF MAILING  
37 CFR 1.8(a)

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Date of Deposit: May 11, 2006 By: James E. Buckley

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE PATENT OF  
Russell R. Hein, et al.

DOCKET NO. 067305.000005

PATENT NO. 6,971,610

SERIAL NO.: 10/662,787

EXAMINER: Mark T. Le

ISSUED: December 6, 2005

GROUP ART UNIT: 3617

TITLE: **Railway Diamond Wedge Crossing  
With Reversible Beam Castings**

**REQUEST FOR CERTIFICATE OF CORRECTION  
UNDER 37 C.F.R. 1.323**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

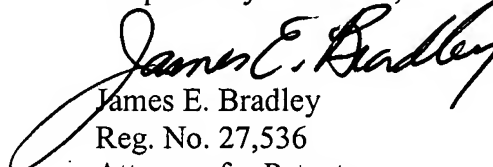
**Certificate  
MAY 18 2007  
of Correction**

Patentee respectfully requests a Certificate of Correction for the subject patent and that copies of the attached Certificate of Correction be attached to copies of the above-identified patent. The error and its correlation to the patent are set forth below. The Certificate of Correction form is enclosed.

Enclosed is a copy of the Issue Fee Transmittal listing the assignee as Progress Rail Services Corp. which was submitted May 4, 2005 by the undersigned attorney of record. Also enclosed is a copy of an **unsigned** and **undated** Fee Transmittal listing General Electric Capital Corporation as the assignee, which is incorrect, and was not submitted by the undersigned attorney of record. Applicant does not know who prepared the unsigned and undated form. General Electric Capital Corporation had filed for recording a patent security agreement prior to the issue fee being paid, but the patent security agreement did not transfer ownership of the patent to General Electric Capital Corporation.

The assignment to Progress Rail Services Corp. was recorded September 15, 2003, reel 014502/0538, which was long before the issue fee was paid, May 4, 2005. Applicant does not believe the mistake to be its error, but in order to expedite the certificate of correction, is willing to pay the "Applicant's Mistake" fees under 37 CFR 1.323 and is submitting this request under that section. Please charge any fees to Bracewell & Giuliani Deposit Account No. 50-0259.

Respectfully submitted,

  
James E. Bradley  
Reg. No. 27,536  
Attorney for Patentee

Date: May 11, 2006

BRACEWELL & GUILIANI LLP  
P. O. Box 61389  
Houston, Texas 77208 1389  
Tel.: (713) 221-3301  
Fax: (713) 222-3287

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(Also Form PTO-1050)

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO : 6,971,610  
DATED December 6, 2005  
INVENTOR(S) Russell R. Hein, et al.

It is certified that an error appeared in the above-identified patent and that said Letters Patent is hereby corrected as shown below.

First Page:

No. (73) Assignee:

delete "General Electric Capital Corporation, Chicago IL (US)"

and insert therefor:

- -Progress Rail Services Corporation, Albertville, AL (US)- -

MAILING ADDRESS OF SENDER:

PATENT NO. 6,971,610

No. of additional copies

Mr. James E. Bradley  
Bracewell & Giuliani LLP  
P.O. Box 61389  
Houston, TX 77208-1389

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



# PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax (703) 746-4000**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

04/11/2005

James E. Bradley  
BRACEWELL & PATTERSON, L.L.P.  
P.O. Box 61389  
Houston, TX 77208-1389

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

James E. Bradley

(Depositor's name)

*James E. Bradley*  
*May 4, 2005*

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,787	09/15/2003	Russell R. Hein	057305.000005	9325

TITLE OF INVENTION: RAILWAY DIAMOND WEDGE CROSSING WITH REVERSIBLE BEAM CASTINGS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	07/11/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
LE, MARK T	3617	246-454000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  
☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list  
(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. Bracewell & Giuliani  
LLP  
2. \_\_\_\_\_  
3. \_\_\_\_\_

### 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Progress Rail Services Corp.

Albertville, Alabama USA

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

☒ Issue Fee

☒ A check in the amount of the fee(s) is enclosed.

☒ Publication Fee (No small entity discount permitted)

☐ Payment by credit card. Form PTO-2038 is attached.

☐ Advance Order - # of Copies 10

☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

x any additional fees 50-0259 Bracewell

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

*James E. Bradley*  
James E. Bradley

Date

*May 4, 2005*

Registration No.

27,536

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Purposes

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04/11/2005

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(Depositor's name)

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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LE, MARK T		3617	246-454000		

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## 2. For printing on the patent front page, list

BRACEWELL &amp; PATTERSON, L.L.P.

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. \_\_\_\_\_

2. James E. Bradley

3. \_\_\_\_\_

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

## (A) NAME OF ASSIGNEE

## (B) RESIDENCE: (CITY and STATE OR COUNTRY)

GENERAL ELECTRIC CAPITAL CORPORATION

CHICAGO, ILLINOIS 60661

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

## a. The following fee(s) are enclosed:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies 10

## 4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

## 5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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TOL-85 (Rev. 12/04) Approved for use through 04/30/2007.

OMB 0651-0033 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

05/09/2005	00000012	1	1501	\$1,400.00	05/06/2005	CK
05/09/2005	00000013	1	1504	\$300.00	05/06/2005	CK
05/09/2005	00000014	1	8001	\$30.00	05/06/2005	CK